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PTO/SB/29 (2/98)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐

DUPLICATE

Address to:

Assistant Commissioner for Patents
BOX CPA
Washington, DC 20231

Attorney Docket No.

PC9731A

First Named Inventor

John W. Watson

Examiner Name

Cybil Delacroix Muirhei

Group/Art Unit

1614

Express Mail Label No.

EL768268806US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 09/476,253 filed on December 30, 1999 entitled Prokinetic Agents for Treating Gastric Hypermotility and Related Disorders

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b); or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on, or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OR PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

1. ☐ Enter the unentered amendment previously filed on under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

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TECH CENTER 1600/2900

05/08/2003 AMONDAF1 00000058 161445 09476253

01 FC:1006
02 FC:1202

750.00 CH
342.00 CH

CONTINUED PROSECUTION APPLICATION PTO SB 29, 3/99

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	39-20*=19	19	19X \$18=342	\$ 342
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (l))	1 -3**=	0	X \$ 80 =	0
	* CALCULATED POST - PRELIMINARY AMENDMENT (ATTACHED)				
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			X \$ 270 =	
				BASIC FEE (37 C.F.R. § 1.16)	750
	Total of above Calculations =				\$1092
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).				
	* Reissue claims in excess of 20 and over original patent.				Total =
	** Reissue independent claims over original patent.				\$1092

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16 - 1445:

- a. ☒ Fees required under 37 C.F.R. §1.16.
- b. ☐ Fees required under 37 C.F.R. §1.17.
- c. ☐ Fees required under 37 C.F.R. §1.18.

8. ☐ A check in the amount of \$_____ is enclosed.9. ☐ Other:

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

2913



or New Correspondence address below

Name	Paul H. Ginsburg				
Address	Pfizer Inc				
Address	235 East 42nd Street, 20th Floor				
City	New York	State	New York	Zip Code	10017-5755
Country	United States Of America	Telephone	(212)573-2369	Fax	(212)573-1939

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME (Print Type)	Richard L. Gatania
Signature	
Registration No. (Attorney/Agent)	32,608
Date	May 6, 2003

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